

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RIVERPOINT MANAGEMENT LLC,)	
)	
Plaintiff,)	
)	8:06CV301
vs.)	
)	ORDER
MARY KLEINHOLZ,)	
)	
Defendant.)	

This matter is before the magistrate judge on plaintiff's motion to conduct expedited discovery prior to the June 5, 2006 hearing on plaintiff's motion for preliminary injunction.

Normally, parties may not conduct discovery until counsel have conferred pursuant to Fed. R. Civ. P. 26(f). However, "[c]ourts have wide discretion with respect to discovery and Federal Rule of Civil Procedure 34(b) expressly provides that courts may expedite discovery." *Ellsworth Assoc., Inc. v. United States*, 917 F. Supp. 841, 844 (D.D.C. 1996). "Expedited discovery is particularly appropriate when a plaintiff seeks injunctive relief because of the expedited nature of injunctive proceedings." *Id.* Rule 26(d) of the Federal Rules of Civil Procedure also contemplates the possibility of expedited discovery.

Upon the representations that defense counsel¹ has no objection, and the parties can address the scheduling of the expedited discovery without the court's intervention,

IT IS ORDERED that plaintiff's motion to conduct expedited discovery [13] is granted.

DATED April 28, 2006.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge

¹The case caption on the motion lists a second defendant, Concentric Corporation, which was identified as Kleinholz' employer but was not named as a defendant in the complaint. The court will at this time disregard any reference to Concentric Corporation as a defendant.